

Assembly Bill No. 461

CHAPTER 61

An act to amend Section 1801.1 of the Vehicle Code, relating to vehicles.

[Approved by Governor July 18, 2005. Filed with
Secretary of State July 18, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 461, Shirley Horton. Department of Motor Vehicles: transactions: electronic transmissions.

Existing law authorizes the Department of Motor Vehicles to allow a person to submit any document required to be submitted to the department by using electronic media deemed feasible by the department instead of requiring the actual submittal of the original document. Existing law authorizes the department, under certain circumstances, to waive for electronically submitted documents any legal requirement that the document be signed in order to complete a transaction.

This bill, instead of authorizing the department to waive the signature requirement specified above, would authorize that requirement to be satisfied for an electronically submitted document if the signature is also submitted electronically and the department retains information verifying the identity of the person submitting the electronic signature. The bill would make a conforming change.

The people of the State of California do enact as follows:

SECTION 1. Section 1801.1 of the Vehicle Code is amended to read:

1801.1. (a) Notwithstanding any other provision of law, the department may allow a person to submit any document required to be submitted to the department by using electronic media deemed feasible by the department instead of requiring the actual submittal of the original document.

(b) If a signature on a document is required by law in order to complete a transaction, and the document is submitted electronically, that signature requirement may be met by an electronically submitted signature, if the department retains information verifying the identity of the person submitting the electronic signature.

(c) The department may establish minimum transaction volume levels, audit and security standards, and technological requirements, or terms and conditions, including methods of authentication for electronically submitted signatures, it deems necessary for the approval of this process.

(d) An electronically submitted document, once accepted by the department, shall be deemed the same as an original document, and shall be admissible in all administrative, quasi-judicial, and judicial proceedings.